



Don BENTON



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Standing committees:

Financial Institutions, Housing
and Consumer Protection,
ranking Republican; Early
Learning, K-12 and Higher
Education; Government
Operations and Elections

Special committees:

Council of State
Governments, West Executive
Committee and West
Transportation and Trade
Committee; American
Legislative Exchange Council,
Commerce, Insurance and
Economic Development
Committee; Legislative
Transportation Committee

Dear neighbors:

It's great to be home with friends and family back in Vancouver after a long and grueling legislative session in Olympia. I want to take a few minutes to share with you some of the things the Legislature addressed this session, as well as some of the things on which I focused my efforts.

While I was able to work across party lines to accomplish some important things this session, on a broader scale, I would not characterize this session as one that was very friendly to you, the citizen. Your tax burden was increased significantly to fund unbridled spending on state operations that grew by 12 percent and a transportation package that largely funds Seattle-based projects.

Despite what you may have heard, election reform was the other major issue this session the Legislature eluded. Too many important improvements were left out to be considered true reform. Your vote will still be minimized with felons, noncitizens and the deceased continuing to vote.

Overall, while I was able to make a difference in several instances, it was a difficult session to stomach. I spent a lot of my time fighting to kill bad legislation. Even so, I look forward to working to represent you in Olympia and support policies to preserve your individual and private property rights, as well as improve our quality of life here in Clark County.

It is an honor and a privilege to serve you. If you have any questions, comments, concerns or if there is anything you think I may be able to help you with, please do not hesitate to contact my office.

Sincerely,

Senator Don Benton

Budget

In early April, Senate Republicans offered a no-new-taxes spending plan for the next two years that would have:

- provided for 10,000 new college enrollments (only 7,900 are funded in the final budget);
- fully funded voter-approved education initiatives I-728 and I-732;
- fully funded levy equalization for property-poor school districts (final budget amount is reduced by \$12.9 million);
- provided a much-needed rate increase for doctors willing to care for Medicaid patients;
- made the first payment toward eliminating the unfunded liability in the teachers' and state employees' pension systems (final budget skips payment in 2005-07 biennium, pushing the problem into future biennia and risking a lawsuit);
- eliminated day fees at state parks so more families could afford to use these taxpayer-provided facilities (final budget continues day use fees);
- funded the new collective bargaining agreement with state employees; and

- left a healthy balance in the ending fund reserve (the final budget spends down the ending fund reserve so that one bad revenue forecast could wipe it out).

None of these provisions offered by Senate Republicans were included in the budget. Instead, the final budget passed the Senate on a straight party-line vote with all Republicans, including myself, voting no. Ultimately I couldn't vote for the budget because it:

- **increases taxes by \$400.5 million to pay for a 12 percent spending increase;**
- **hires 2,843 new state employees;**
- **reestablishes the state's death tax;**
- **defers the state's pension funding obligation;**
- **adds sales tax to extended warranties;**
- **increases the tax on cigarettes; and**
- **increases the tax on liquor.**

During debate on the budget, an **amendment was offered to reduce the state portion of the property tax by 10 percent, which I supported.** Unfortunately, the amendment was defeated largely along party lines.

Capital construction budget

In Washington state, the capital construction budget is completely separate from the operating budget and is funded with the sale of state-owned resources like timber. This year, I was happy to vote for the capital budget. The following are local Vancouver-area capital construction and improvement projects that I fought for and were funded in the state capital budget:

- **The Lewis and Clark Confluence Project** – \$2 million;
- **The Vancouver Barracks Project** – \$1 million;
- **The Columbia Springs Environmental Education and Research Facility** – \$700,000;
- **The Clark Center for Community Health** – \$3 million;
- **Washington Wildlife Recreation Program** – \$90.67 million statewide (six Vancouver-area parks projects are likely to be funded);
- **The Columbia River Channel Deepening** – \$17.7 million; and
- **Evergreen and Battle Ground school district construction funding.**

Transportation

The final \$12.5 billion transportation tax package contains the following tax and fee increases:

- **9.5-cent increase to the state gas tax over four years** (3 cents in 2005, 3 cents in 2006, 2 cents in 2007, and 1.5 cents in 2008). Only \$8.5 billion can be used on new projects because the rest goes to paying off debt service.
- **A new weight fee on vehicles** (\$10 for small vehicles, \$20 for medium-sized vehicles, \$30 for large vehicles, and \$75 for motor homes).

This is extremely excessive taxation on our state's residents at a time when they can least afford it. This additional cost will further delay our state's economic recovery, while at the same time, does very little to address the serious transportation concerns in Southwest Washington. Our local project list includes wasteful spending on expensive studies rather than actually building roads. For these reasons, I could not vote for the transportation budget this session.

Initiative tinkering

The Legislature, in spite of my vocal opposition, either repealed or tried to repeal several initiatives this session that were approved by the people:

- **I-601**, approved by voters in 1993 by more than 51 percent of the vote, created a state spending limit and a “rainy day” fund to control government growth. Although it has been chipped away for years, it has been very successful in holding down the growth of government. Unfortunately the initiative was repealed this session by majority Democrats in order to raise taxes without a 2/3 vote requirement.
- **I-695**, approved by voters in 1999 by more than 56 percent of the vote, set motor vehicle license tab fees at \$30. The push for this initiative was based on the fact that car tab fees were not based on the true value of a car and were not used directly for road improvements. This was fully repealed this session and car license fees were essentially doubled. Once again, fees raised will not be used just for roads and highways.

- **I-402**, approved by voters in 1981 by more than 67 percent of the vote, abolished the state death tax. The death tax was reinstated this session by the majority party despite the state Supreme Court’s ruling that the tax is unconstitutional. You pay taxes your whole life, and now your family is forced to pay more taxes when you die.
- **I-200**, approved by voters in 1997 by more than 58 percent of the vote, prohibited the state from discriminating or granting preferential treatment based on race, sex, color, ethnicity or national origin in public employment, education and contracting. Even though University of Washington statistics clearly show that more minorities have been admitted since the implementation of the initiative, the Democrat-controlled Legislature attempted to repeal it. Fortunately, they were not successful this session.

Emergency clause: The excessive use of the emergency clause this session was clearly an attempt by the majority party to shut voters out of their constitutional right to check and balance the Legislature through the referendum process. When an emergency clause is attached to a bill, it negates this important constitutional protection and was intended only to be used in true emergencies.

Election reforms... NOT!

The so-called election reform measures approved by the Legislature this session didn’t go far enough to clean up our election system and preserve the voting rights of living, law-abiding citizens. The following reforms, which I believe would have gone a long way to reform our flawed election system, were offered this session but systematically voted down by the Democrat majority in the Senate:

- Require photo ID to vote at the polls;
- Require proof of U.S. citizenship to register;
- Require random checks of voter registration rolls for dead people, felons and noncitizens;
- Move the filing period for candidates to an earlier date to allow more time to get ballots out to military and overseas voters;
- Allow military ballots to be counted if they are received late and therefore returned after Election Day;
- Provide help for auditors in managing elections;
- Require a uniform signature verification process throughout the state; and
- Prohibit third-party access to voter information to stop vote-shopping.

Unfortunately, because these meaningful reforms were not approved, your vote will continue to be minimized by ineligible voters.

Private ballots... Is Democracy dead?

After a tug-of-war over whether to allow or make all-mail elections mandatory, the Legislature voted to authorize county legislative authorities to decide for themselves (House Bill 1754). Contrary to popular belief, there is no evidence to indicate that moving to an all-mail voting system will save money or even increase efficiency or stop fraud. But it will make it more difficult to tell who actually cast the ballot.

“I am very concerned that eliminating polling places will eventually trivialize elections and ultimately destroy the guarantee of a private ballot, which we now enjoy.”

Polling places are a part of our 200-plus-year heritage; part of our culture; part of our ongoing lesson in civics. Think of the school children who now ask “what’s going on here today?” when they go to school and see flocks of people coming to the polling places to participate in the electoral process, citizens’ most fundamental role in their government.

The answer from a teacher or parent has always been some form of: “It is voting; it is your right; people have died to protect that right; it is democracy and it is important.” Think about the generations of schoolchildren who will never be prompted to ask that question, and more importantly, never get the answer if we force everyone to vote by mail.

I think voting by mail is fine for those who want it, but voting at the polling place should be preserved for those who choose that method of voting. Clark County is currently considering whether or not to move to an all-mail voting system. I urge you to contact the county commissioners’ office and let your opinion be known:

Clark County Commissioners
P.O. Box 8815, Vancouver, WA 98666
Phone: (360) 397-2232
E-mail: boardcom@clark.wa.gov

Benton bills signed into law

My biggest accomplishment this session was a continuation of efforts I have focused on over the past two sessions – protecting our schoolchildren from predatory teachers. Given the nature of this legislation, I was surprised that getting this bill approved this session was such a struggle, but I persisted and succeeded.

- **House Bill 2212** (originally Senate Bill 5677) protects schoolchildren from predatory teachers by requiring the Office of Superintendent of Public Instruction (OSPI) to revoke or suspend certificates of teachers found intentionally viewing unauthorized sexually explicit material on school grounds for a first offense. A second offense requires OSPI to permanently revoke a teaching certificate. I originally authored the bill to revoke the certificate on the first offense, however the Democrat chair of the Senate education committee and the state Superintendent of Public Instruction blocked this version from passing.

Other bills that I sponsored were also signed into law:

- **Senate Bill 6064** guarantees your constitutional right to free speech and expression by prohibiting homeowners' associations from banning political yard signs before an election.
- **Senate Bill 6043** requires any agencies, individuals or businesses that maintain a computerized database with encrypted personal information to notify customers if there has been any breach of security. Customers injured by a violation of this notice requirement may bring civil action for damages.
- **Senate Bill 5418** allows victims of identity theft to place a security freeze on their credit reports. This prevents the reports from being released and in most cases will stop thieves from being able to open credit accounts or other services requiring a credit check.
- **Senate Bill 5317** protects insurance consumer information from public disclosure when the state insurance commissioner investigates an insurer.



Senator Benton discusses the merits of his bill to protect schoolchildren from predatory teachers during a news conference in Olympia.

Benton given top honor by law enforcement

The Washington Council of Police and Sheriffs, which represents more than 5,000 law enforcement officers throughout the state, presented me with their prestigious 2004 "Legislator of the Year Award." The award is given each year to the legislator who has demonstrated the strongest commitment to the law enforcement community and to officers who put their lives on the line every day in the name of public safety.

"Your voting record is one of the best on public safety issues and reflects your priority of keeping our communities safe. No other legislator has shown a deeper commitment to providing the proper tools necessary for our officers to protect their communities than you. In fact, during your ten years in the Legislature, you have consistently voted to protect our officers and the citizens of the state."

-- William Hanson, executive director of the organization